

February 26, 2021

Regional Freedom of Information Office
U.S. EPA, Region 5
77 West Jackson Boulevard (MI-10J)
Chicago, IL 60604-3590
(312) 866-6803

Re: Freedom of Information Act Request

Dear Sir or Madam:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. 552, and section 104(e)(7) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9604(e)(7), I am requesting copies and/or access to specific records held by the U.S. Environmental Protection Agency (USEPA) Region 5 office concerning the Torch Lake Superfund site in Houghton County, Michigan. (<https://cumulis.epa.gov/supercpad/cursites/csitinfo.cfm?id=0503034>)

I am requesting access to and/or copies of any documentation associated with the drum removal, characterization, and disposal activities that were initiated in the summer of 1991 at the Torch Lake Superfund Site and completed on February 11, 1992.

As described in the attached March 24, 1992 Geraghty & Miller, Inc. Final Drum Removal Report, Torch Lake Drum Removal, Houghton County, Michigan (Attachment 1), I am requesting a copy of the July 30, 1991 USEPA administrative order by consent (AOC) delivered to the following likely Potentially Responsible Parties (PRPs) ("Respondents"):

- Universal Oil Products Co., Inc.
- Quincy Mining Company
- Quincy Development Corporation
- Houghton County Department of Public Works
- Superior Crafts, Inc.
- Rudolf Kump

I am also requesting copies of each of the above parties' responses to the July 30, 1991 AOC, as well as any other related documentation pertaining to the drum removal effort during 1991-1992. This includes, but is not limited to:

- Correspondence between the USEPA and Respondents and documentation regarding USEPA and USEPA-contractor sampling, identification, and removal of drums from each of the four specific on-land and off-shore areas;

- Any other interagency or intra-agency communications between the USEPA and state and local regulatory agencies regarding the effort; and,
- Documentation regarding the closeout of the effort.

Additionally, as described in the attached September 30, 1992 USEPA Superfund Record of Decision for Torch Lake, MI, First Remedial Action (Attachment 2), I am requesting a copy of documentation associated with the October 17, 1991 public meeting held to discuss the drum removal activity.

History Associates requests the release of the above materials pursuant to FOIA and pursuant to section 104(e)(7)(A) of CERCLA. To the extent USEPA decides to withhold any document(s), we ask that all reasonably segregable factual portions of these documents be released, consistent with FOIA practice. We also ask that if any materials are withheld or redacted, we be provided with an index showing the basis under FOIA for each such redaction or withholding. We also note that most materials submitted to USEPA under section 104(e) of CERCLA are required to be made available to the public, and that claims of trade secrecy are severely limited by section 104(e)(7).

History Associates agrees to pay all reasonable and standard processing fees authorized by 5 U.S.C. 552(a)(4)(A) and the applicable regulations up to \$250. Should the fees exceed this amount, please call me with an estimate of the total costs in order that expenditures beyond \$250 can be authorized.

Should you have any questions or concerns regarding this request, please contact me at (301) 279-9697 or via email at AREbadow@historyassociates.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Allison Rebadow', with a stylized flourish at the end.

Allison Rebadow

Attachments